



DEPARTMENT OF HOMELAND SECURITY
UNITED STATES SECRET SERVICE
WASHINGTON, D.C. 20223

Freedom of Information Act & Privacy Acts Branch
Communications Center
245 Murray Lane, SW, Building T-5
Washington, D.C. 20223

Date: JUN 3 2011

Jason Smathers
MuckRock
185 Beacon Street #3
Somerville, MA 02143

File Number: 20110290

Dear Requester:

This letter is intended to acknowledge the receipt of your recent Freedom of Information Act/Privacy Acts (FOIA/PA) request received by the United States Secret Service (USSS) on May 12, 2011, for information pertaining to Prism Demonstration Abstracts created between April 25, 2011 and May 5, 2011.

Due to the increasing number of FOIA/PA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the FOIA regulations, 6 C.F.R., Chapter I, Part 5, the Service processes FOIA/PA requests according to their order of receipt.

As it relates to your fee waiver request, your request will be held in abeyance pending the quantification of responsive records. The FOIA regulations, Title 6 C.F.R., Chapter I, Part 5 § 5.11(k)(2)(3), set forth six factors to examine when determining whether the applicable legal standard for a fee waiver has been met. We will consider these factors in our evaluation of your request for a fee waiver:

- 1) Whether the subject of the requested records concerns "the operations or activities of the government;"
- 2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities;
- 3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons;
- 4) Whether the contribution of public understanding of government operations or activities will be "significant;"

- 5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and
- 6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor.

If any responsive records are located, we will consider these factors in our evaluation of your request for a fee waiver. In the event that your fee waiver is denied, we shall charge you for the records in accordance with Interim FOIA regulations as they apply to "media" requesters. The first 100 pages of duplication are free of charge. As a "media" requester, you will be charged .10 cents a page for the duplication of each additional page.

Please be advised, the submission of your request is viewed as an agreement, by you, to pay duplication costs up to \$25.00. A search for files responsive to your request is being conducted. The appropriate components of the USSS are being queried for responsive documents. If any responsive records are located, they will be reviewed for determination of releasability. You will be contacted before any additional fees are accrued.

We solicit your cooperation and assure you that the search will be conducted as expeditiously as possible. If you have any questions or would like to discuss this matter, please contact this office at (202) 406-5838. Please use the file number indicated above in all future correspondence with this office.

Sincerely,



 Craig W. Ulmer
Special Agent In Charge
Freedom of Information Act & Privacy Acts Officer